

FORM PTO-1390 (REV 11-98)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 39-219
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/646532 Designated
INTERNATIONAL APPLICATION NO. PCT/GB99/00727	INTERNATIONAL FILING DATE March 19, 1999	PRIORITY DATE CLAIMED 20 March 1998
TITLE OF INVENTION ADP-GLUCOSE TRANSPORTER OF THE AMYLOPLAST		
APPLICANT(S) FOR DO/EO/US EMES et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date. 5. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input checked="" type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. 8. Translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. To 16. Below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information. PTO-1449/ International Search Report/ Three References		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.53(a)(1)-(5))

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER
39-219

PCT/GB99/00727

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):**

- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$970.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$840.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO\$690.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$670.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	16	-20 =	0
Independent Claims	3	-3 =	0

MULTIPLE DEPENDENT CLAIMS(S) (if applicable)

TOTAL OF ABOVE CALCULATIONS =

Reduction by 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28).

SUBTOTAL =

Processing fee of \$130.00, for furnishing the English Translation later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property

Fee for Petition to Revive Unintentionally Abandoned Application (\$1210.00 - Small Entity - \$605.00)

TOTAL FEES ENCLOSED =

Amount to be:
refunded \$
Charged \$

☒ A check in the amount of \$970.00 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☐ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON & VANDERHYE P.C.
1100 North Glebe Road, 6th Floor
Arlington, Virginia 22201
Telephone: (703) 816-4000

SIGNATURE

Mary J. Wilson
NAME

32.955

September 19, 2000

REGISTRATION NUMBER

Date

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE

APPLICANT'S DOCKET NUMBER
107553

09/646532

**TRANSMITTAL LETTER TO THE
UNITED STATES
DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING
UNDER 35 U.S.C. 371**

U.S. APPLICATION NO.
(if known, sec 37 C.F.R.1.5)
09/646,352

INTERNATIONAL APPLICATION NO.
PCT/CA99/00237

INTERNATIONAL FILING DATE
March 19, 1999

PRIORITY DATE CLAIMED
March 20, 1998

TITLE OF INVENTION
PROTEIN EXPRESSION IN FLORAL CELLS

APPLICANT(S) FOR DO/EO/US
Laurian S. ROBERT et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 - ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 - ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 - ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 - ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
 - ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
- 12/25/2000 JEDUJLITE 00000027 09646352
Items 11. to 16. below concern other document(s) or information included:
01 FC-151 130.00.00
- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A FIRST preliminary amendment.
 - ☐ A SECOND or SUBSEQUENT preliminary amendment.
 14. ☐ A substitute specification.
 15. ☐ A small entity statement.
 16. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37
C.F.R. 1.5) 09/646,352

INTERNATIONAL APPLICATION NO.
PCT/CA99/00237

ATTORNEY'S DOCKET NUMBER
107355

17. ☐ The following fees are submitted:

Basic National fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$840.00

International preliminary examination fee paid to USPTO
(37 CFR 1.482).....\$670.00

No international preliminary examination fee paid to USPTO
(37 CFR 1.482) but international search fee paid to USPTO
(37 CFR 1.445(a)(2)).....\$690.00

Neither international preliminary examination fee (37 CFR
1.482) nor international search fee (37 CFR 1.445(a)(2))
paid to USPTO.....\$970.00

International preliminary examination fee paid to USPTO
(37 CFR 1.482) and all claims satisfied provisions of PCT
Article 32(2)-(4).....\$ 96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS

PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than
☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR
1.492(e)).

\$130

Claims	Number Filed	Number Extra	Rate
Total Claims	- 20 =		X \$ 18.00
Independent Claims	- 3 =		X \$ 78.00

\$

\$

Multiple dependent claim(s) (if applicable)

+ \$260.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$130

Reduction by 1/2 for filing by small entity, if applicable. Verified Small
Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). -

\$

SUBTOTAL =

\$130

Processing fee of \$130.00 for furnishing the English translation later
than ☐ 20 ☐ 30 month from the earliest claimed priority date (37 CFR
1.492(f)).

\$

TOTAL NATIONAL FEE =

\$130

Amount to be
refunded

\$

Charged

\$

a. ☒ Check No. 114884 in the amount of \$130 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy
of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to
Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320

JAO:JSA/emb

NAME: James A. Oliff
REGISTRATION NUMBER: 27,075

NAME: Joel S. Armstrong
REGISTRATION NUMBER: 36,430

U.S. APPLICATION NO. (if known, see 37
C.F.R. 1.5) 09/646,352

INTERNATIONAL APPLICATION NO.
PCT/CA99/00237

ATTORNEY'S DOCKET NUMBER
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(37 CFR 1.482).....\$670.00

No international preliminary examination fee paid to USPTO
(37 CFR 1.482) but international search fee paid to USPTO
(37 CFR 1.445(a)(2)).....\$690.00

Neither international preliminary examination fee (37 CFR
1.482) nor international search fee (37 CFR 1.445(a)(2))
paid to USPTO.....\$970.00

International preliminary examination fee paid to USPTO
(37 CFR 1.482) and all claims satisfied provisions of PCT
Article 33(2)-(4).....\$ 96.00

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Surcharge of \$130.00 for furnishing the oath or declaration later than
☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR
1.492(e)).

\$130

Claims	Number Filed	Number Extra	Rate
Total Claims	- 20 =		X \$ 18.00
Independent Claims	- 3 =		X \$ 78.00

Multiple dependent claim(s)(if applicable)

+ \$260.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$130

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SUBTOTAL =

\$130

Processing fee of \$130.00 for furnishing the English translation later
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1.492(f)).

\$

TOTAL NATIONAL FEE =

\$130

Amount to be
refunded

\$

Charged

\$

- a. ☒ Check No. 114884 in the amount of \$130 to cover the above fees is enclosed.
b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0481. A duplicate copy of this sheet is enclosed.

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SEND ALL CORRESPONDENCE TO:

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320

JAO:JSA/emb

NAME: James A. Oliff
REGISTRATION NUMBER: 27,075

NAME: Joel S. Armstrong
REGISTRATION NUMBER: 36,430

532

PCT/PTC 19 SEP 2000

09/646532

#6/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

EMES et al

Atty. Ref.: 39-219

Serial No. (To Be Assigned)

Group:

National Phase of PCT/GB99/00727

Filed: September 19, 2000

Examiner:

For: ADP-GLUCOSE TRANSPORTER OF THE AMYLOPLAST

September 19, 2000

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to calculation of the filing fee and in order to place the above identified application in better condition for examination, please amend the claims as follows:

IN THE CLAIMS

Claim 3, line 1, delete "or 2".

Claim 4, line 1, change "any one of claims 1-3" to --claim 1--.

Claim 12, line 1, delete "or 11".

REMARKS

The above amendments are made to place the claims in a more traditional format.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:

Mary J. Wilson

Reg. No. 32,955

MJW:ms

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Arlington, VA 22201-4714
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09/646532

1

ADP-GLUCOSE TRANSPORTER OF THE AMYLOPLAST

The present invention relates to an ADPglucose transporter protein which regulates starch biosynthesis in plants and more particularly to the modulation of the transporter protein for the purposes of, for example, producing modified starches and/or increasing starch yield. The invention also relates to methods of modulating such biosynthesis and also to genetically modified plants and plant cell lines in which starch biosynthesis is modulated.

Starch biosynthesis in plants is the major determinant of yield in agricultural production of cereals. On a world basis cereals contribute 50% of total dietary energy supplies, and up to 75% of the human daily calorific intake is starch. Starch also has a broad range of industrial applications (e.g. in manufacture of paper, paint and adhesives). Variation in the chemical structure of starch, determined by the ratio of amylose to amylopectin and the degree of branching in amylopectin in the starch polymer, can significantly alter the properties of starch and the regulation of such structure is highly desirable for optimising the industrial application in which starch is being used.

In plant storage tissues the biosynthesis of starch occurs in specialised cellular organelles called amyloplasts. The immediate soluble substrate for starch synthesis is the sugar nucleotide ADPglucose (ADPG). Amyloplasts must import the carbon required for starch synthesis and we have previously demonstrated that amyloplasts of wheat endosperm are capable of synthesising starch from either exogenous sugar (hexose) phosphates and ATP, or by direct uptake of ADPG. Recent evidence has demonstrated that in cereal endosperm the vast proportion of the enzyme which synthesises ADPG is located in the cytoplasm (outside the amyloplast).

We have performed studies with amyloplasts which show that ADPG supports rates of starch synthesis 30-fold greater than from hexose-phosphate uptake.

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Furthermore we have found during the active period of grain filling nearly all of the enzyme activity responsible for the synthesis of ADPG resides in the cytoplasm. This lead us to realise that the major source of carbon taken up by the amyloplast for starch synthesis is ADPG.

As synthesis of ADPG is located in the cytoplasm, the transport protein responsible for uptake of ADPG into amyloplasts must therefore play a pivotal role in regulating starch synthesis. The ADPG transporter influences not only starch yield, but also quality (a commercially important aspect of this raw material) since the starch synthases involved in amylose and amylopectin synthesis have different affinities for ADPG.

The present invention is founded on our identification of a protein which is integral to the membrane of amyloplasts (e.g. amyloplasts from developing wheat endosperm) and which, we have established, is the ADPG transporter. The protein is in the inner membrane of amyloplasts and may be obtained by the procedure of Example 1 (see below).

The ADPG transporter protein may be characterised by the following features:

- (a) an amino acid sequence selected from:

SMPLNAAVKM	(SEQ ID NO. 1)
GAXXXETAWACGXA	(SEQ ID NO. 2)
NFRYTNFAX	(SEQ ID NO. 3)
GATXGNXAHAMG	(SEQ ID NO. 4)
SVLWTEXXDXXXGFR	(SEQ ID NO. 5)
VXLAPXNP	(SEQ ID NO. 6)
PYNXAYQDXG	(SEQ ID NO. 7)

(wherein X indicates any amino acid and the other letters represent the conventional single letter code for amino acids); and

(b) a molecular weight of about 38 kDa.

A protein comprising any of the amino acid sequences listed under (a) above represents a new protein and according to a first aspect of the present invention there is provided an ADPglucose transporter protein, or a modification or fragment thereof capable of ADPglucose transport activity comprising at least one amino acid sequence selected from the group of:

- | | | |
|-------|------------------|----------------|
| (i) | SMPLNAAVKM; | (SEQ ID NO. 1) |
| (ii) | GAXXXETAWACGXA; | (SEQ ID NO. 2) |
| (iii) | NFRYTNFAX; | (SEQ ID NO. 3) |
| (iv) | GATXGNXAHAMG; | (SEQ ID NO. 4) |
| (v) | SVLWTEXXDXXXGFR; | (SEQ ID NO. 5) |
| (vi) | VXLAPXNP; and | (SEQ ID NO. 6) |
| (vii) | PYNXAYQDXG. | (SEQ ID NO. 7) |

The protein of the first aspect of the invention preferably comprises two or more of the amino acid sequences (i) – (vii) and may contain all such sequences. When the protein contains any of the sequences (v), (vi) or (vii) they may be present in multiple copies.

It is preferred that the protein contains at least one of the amino acid sequences (i) – (iii). The protein may contain two, or all of the amino acid sequences (i) – (iii).

The protein preferably has a molecular weight in the region of 35kDa – 43kDa and more preferably a molecular weight of approximately 38 kDa.

The protein may be isolated from membranes of amyloplasts from cereal endosperm (e.g. spring wheat endosperm).

By "modifying" or "controlling" the amount and / or activity of a protein in accordance with the first aspect of the invention in a starch producing plant (as compared to the amount which is present in a wild-type plant) it is possible to modulate starch production in various desirable ways. Thus according to a second aspect of the present invention there is provided a method of regulating starch production in plants or plant cells comprising modulating the activity of the protein according to the first aspect of the invention.

According to a first embodiment of this method the activity of the ADPG transporter may be decreased in amyloplast membranes of plant cells. A decrease in transporter activity will favour production of starch with a higher proportion of amylopectin resulting in the production of "waxy" starches which can be exploited as thickening agents in food and coatings. By "waxy" we mean a starch with a lower proportion of amylose relative to amylopectin.

A decrease in activity can be achieved by exogenous addition of an agent which suppresses transporter activity (i.e. an ADPG transporter antagonist or a neutralising species raised against the transporter). Alternatively an agent may be used which increases the rate of breakdown of active transporter or one which decreases expression of the protein (e.g. protein synthesis inhibitors, inhibitors of post-translational modification, ribozymes, antisense RNA or DNA, inhibitory transcription factors etc).

According to a second embodiment of this method the activity of the ADPG transporter is increased in amyloplast membranes of plant cells. This favours increased starch yield and will favour production of starch with a higher proportion of amylose. Increasing amylose content increases the viscosity and gel strength of starch pastes.

Such starches can be exploited in the production of biodegradable plastics. High amylose content also influences gelatinization and retrogradation properties (crystallisation of cooling starch components following heating) of starches. Since retrogradation of amylopectin is a factor influencing the rate at which baked foods go stale, we have found that baked foods comprising starches with an increased proportion of amylose go stale less quickly and therefore have longer shelf lives. For instance, bread comprising starches containing an increased proportion of amylose go stale less quickly than bread containing unmodified starch.

An increase in activity can be achieved by exogenous addition of an agent that increases activity of the transporter according to the first aspect of the invention (i.e. an ADPG transporter agonist or an activating species). Alternatively an agent may be used which decreases the rate of breakdown of active transporter.

The activity may also be promoted by increasing the amount of transporter in the amyloplast membrane. This may be achieved by application of the protein to a plant or plant cell in a form in which the protein will be taken up and incorporated into the membranes of the starch producing organelles of the plant. However it is preferred that the amount of transporter in the amyloplast membrane is increased by promoting expression of the protein. This may be achieved by increasing the activity of transcription factors which promote gene expression (e.g. by administering to a plant cell the transcription factors *per se* or by administering phytohormones or other agents which promote the activity of these transcription factors).

It is most preferred to increase ADPG transporter expression by genetically manipulating a plant cell.

Starch production is preferably regulated according to the first or second embodiments of the method of the invention by genetically manipulating plant material. Such manipulation requires the use of a DNA molecule that codes for protein capable of

modulating ADPG transporter activity. Thus according to a third aspect of the invention there is provided a DNA molecule encoding for a protein which directly or indirectly modulates ADPG transporter protein activity, said DNA molecule being capable of being transcribed to lead to the expression of said protein.

Said protein directly or indirectly has activity for modulating ADPG transporter protein activity such that starch production from a plant cell is regulated. By "directly" we mean that the protein coded by the DNA molecule *per se* has the required activity for regulating starch production. By "indirectly" we mean that the protein coded by the DNA molecule undergoes or mediates (e.g. as an enzyme) at least one further reaction to provide an agent effective for regulating starch production.

A preferred DNA molecule according to the third aspect of the invention codes for a protein of the first aspect of the invention. Using such DNA molecules, it is possible to produce genetically modified plant material having an enhanced capability for the production of the protein of the first aspect of the invention so as to modulate starch production according to the second embodiment of the second aspect of the invention. These preferred DNA molecules are particularly useful for transforming a plant cell such that it will contain multiple copies of genes encoding proteins of the first aspect of the invention. Expression of the protein from such multiple copies may give rise to increased copies of proteins with transporter activity greater than is found in unmanipulated plant cells.

It will be appreciated that the base sequence of DNA molecules according to the third aspect of the invention may exhibit some base variability but still code for the same, or a functionally equivalent protein. For instance, DNA molecules which encode for the ADPG transporter or a modification or fragment of such a protein which retains ADPG transport activity, may have base changes which would not alter the amino acid sequence of the transporter expressed from the DNA molecule (e.g. due to redundancy

in the genetic code). Variants of the DNA molecule may even encode a protein with altered amino acid sequence which nevertheless retains transporter's function.

It is preferred that DNA molecules according to the third aspect of the invention are propagated within a suitable DNA vector to form a recombinant vector. The vector may for example be a plasmid, cosmid or virally based (e.g. Gemini virus vectors). Such recombinant vectors are of utility when replicating the DNA molecule. Furthermore recombinant vectors or derivatives thereof are highly useful for transforming plant cells or protoplasts.

The recombinant vectors will frequently include one or more selectable markers to enable selection of cells transformed with the DNA vector and, preferably, to enable selection of cells harboring the recombinant vectors that incorporate the DNA molecule of the third aspect of the invention. Examples of such selectable markers include genes conferring resistance to kanamycin, G418, phosphinothricin, ampicillin or neomycin.

Recombinant vectors may also include other functional elements. For instance, the recombinant vector may be designed such that the vector and DNA molecule integrates into the genome of a cell. In this case DNA sequences which favour targeted integration (e.g. by homologous recombination) are desirable. Alternatively recombinant vectors can be designed such that the vector will autonomously replicate in the cytosol of the cell. In this case, elements which induce DNA replication may be required in the recombinant vector. Preferred recombinant vectors which autonomously replicate in the cytosol of the cell will be capable of existing in a host cell in multicopies. Multiple copies of such vectors are useful for increasing expression of protein encoded by the DNA molecule of the third aspect of the invention above levels obtainable in normal wild-type plant cells (i.e. cells which have not been genetically modified).

The recombinant vector may also further comprise a promoter or regulator to control expression of the gene as required. Furthermore the vector may also comprise a transcription terminator such as the nopaline synthase (nos) terminator).

The promoter may be an inducible promoter such as AlcR/ALcA (as disclosed in WO 93/21334) or the GST system. A typical inducer for the AlcR/ALcA promoter which may be used is cyclohexanone. Inducers such as cyclohexanone may be sprayed onto crops which have been genetically modified with DNA coding for the AlcR/ALcA promoter operatively linked to a DNA molecule which directly or indirectly modulates ADPG transport in order that starch production may be regulated according to the methods of the invention. Commercially available safeners may be used in conjunction with inducers such as cyclohexanone (typically at doses in the range of 1Kg/ha).

A plant may be grown in the absence of an activator of the inducible promoter and at a predetermined time (e.g. when seed endosperm is developing in cereals or tubers developing in potatoes) the foliar parts of the plant may be exposed to the activator of the promoter (e.g. by crop spraying) to regulate starch production. Activators may be applied to the transformed plants typically 6 - 96 hours, preferably 12 - 72 hours and most preferably 12 - 48 hours before starch production needs to be regulated.

Starch production may be closely regulated by spraying plants with the activator of the promoter at suitable times. It will be appreciated that optimal spraying times will depend upon the type of starch required (highly branched or minimal branching) and the species of plant used. By way of example only, spraying of cereal crops may be any time following the onset of flowering (approximately 1 day post-anthesis) up to maturity of the grain (approximately 60-70 days post-anthesis).

It will be appreciated that constitutive promoters may also be used according to the invention (e.g. the CaMV35s promoter from the cauliflower mosaic virus).

Furthermore tissue specific promoters such as the Gliadin promoter (normally found in seeds) or the Patatin promoter (found in potato) may be used.

Other promoters which may be linked to DNA coding for proteins which directly or indirectly regulate ADPG transport are well known in the art. For instance, the promoters reviewed by Gatz (Annu Rev Plant Physiol Plant Mol Biol 48 p89-108, 1997) may be used to transform a cell according to the second aspect of the invention.

Preferred recombinant vectors may be formed using plasmids such as pBI 101, Bin 6, Bin 19 or pUC or derivatives of such vectors.

The recombinant vectors may be transferred to plant cells or protoplasts by, transformation, transfection, infection, microinjection, cell fusion, protoplast fusion or ballistic bombardment. For example, transfer may be by ballistic transformation with coated gold particles, agrobacterium mediated transformation, liposomes containing the DNA molecule, viral vectors (e.g. Gemini virus) by electroporation, by chemical transformation (e.g. treating cells with calcium chloride and Polyethylene glycol favours DNA uptake) or by means of direct DNA uptake (e.g. endocytosis).

The DNA molecule according to the third aspect of the invention may be delivered, by the abovementioned methods, to a plant cell or protoplast to be transformed without it being incorporated in a vector.

Plant material genetically modified with a DNA molecule according to the third aspect of the invention represents a fourth aspect of the invention, according to which there is provided a plant cell transformed with the DNA molecule of the third aspect of the invention. Such transformed cells are particularly useful for regulating starch production according to the method of the second aspect of the invention.

Many different types of plant material may be treated according to the method of the second aspect of the invention or transformed according to the fourth aspect of the invention. The material may be a growing plant, plant tissue, a plant cell line, a seed or any other suitable source of plant material which is capable of growth. If desired plant tissue may be removed from the treated plant material for further cultivation. This tissue may be in the form of an embryo, a growing shoot tip, a bud or a root tip from a plant or growing leaf cuttings. Such tissue may be cultivated in soil or may be grown *in vitro*. *In vitro* grown tissue may be grown under suitable conditions to give rise to a plant or alternatively the tissue may be grown to develop a plant cell line.

Plants to which the invention is applicable for modulating starch production include, but are not limited to, cereals (e.g. wheat, barley, rye, oats, maize, rice and sorghum), tubers (e.g. potatoes), root crops (e.g. sugar beet, carrots, turnips, swedes and cassava), legumes (e.g. peas, beans) and forage foodstuffs for animals (e.g. grasses).

Cell lines which have been transformed according to the fourth aspect of the invention may be developed from such plants.

The plant material, plants and plant cell lines should be maintained or propagated in a suitable growth medium. When plants are grown in the ground, the environment may represent a suitable medium, although supplementation with phytohormones, vitamins and/or carbohydrate etc may be required. Plant material, plants and plant cell lines propagated *in vitro* require a suitable growth medium to sustain the cells.

Such plant material (plants, plant tissue or plant cell lines) may, for example, be produced by transforming plant cells (e.g. the embryo) and growing plants from said transformed cells. The plants may be grown and seeds collected following selfing of said plants. Alternatively progeny of the transformed cells may be collected by *in vitro*

propagation of said transformed cells. The transformed cells may be propagated using essentially standard culturing techniques which are known in the art of plant science.

The invention is illustrated by the following non-limiting Example.

09646532-102100

EXAMPLE 1

Protocol for Purification of the ADPG Transporter from Amyloplasts

Plant Material and Amyloplast Isolation

Spring wheat (*Triticum aestivum* L. Cv. Axona) was grown under the conditions described by Tetlow *et al.* (1993). Endosperm tissue was obtained from developing grains taken from the mid-ear region of the head 8-14 days after anthesis (the first appearance of anthers). The dissected endosperm (25-37g fresh weight) was used to prepare amyloplasts mechanically using the method described by Tetlow *et al.* (1994).

Isolation of Organelle Membranes

Purified amyloplasts were ruptured in a buffer containing 100mM tricine-NaOH (pH 7.8), 1mM EDTA, 1mM dithiothreitol, 1mM phenylmethylsulphonyl fluoride (PMSF) and 100µM each of leupeptin, bestatin, pepstatin, 3,4-dichloroisocoumarin, chymostatin, 1,10-phenanthroline, phosphoramidon, and pefabloc (rupturing buffer). All subsequent procedures were performed at 2-4°C. The ruptured amyloplasts were centrifuged for 10 min at 10,000g to remove starch and debris. The supernatant was then centrifuged for 20 min at 100,000g to pellet the envelope membranes. The membrane pellet was resuspended in rupturing buffer containing 1.2M NaCl and left on ice for 30-60 min to remove extrinsic membrane proteins. The NaCl-washed membranes were pelleted (20 min, 100,000g) and the supernatant discarded, before being resuspended in rupturing buffer. The washed membranes were then finally pelleted (20 min, 100,000g) and rinsed three times in rupturing buffer before solubilization (below).

Membrane Solubilization and Protein Fractionation

The washed amyloplast envelope membranes were solubilized by resuspension in column running buffer (10mM Tricine-NaOH (pH 7.6), 0.2% (w/v) n-dodecylmaltoside, 1mM PMSF), followed by the addition of 40% (w/v) n-dodecylmaltoside, to give a final

detergent concentration of 8%. After incubation on ice for 10 min the solubilized membranes were diluted with running buffer to give a final n-dodecylmaltoside concentration of 1.6%. The sample was centrifuged for 5 min at 13,000g to remove insoluble material and the supernatant loaded onto a 1cm³ HiTrap (Pharmacia) QTM column which had been pre-equilibrated in running buffer. After loading the sample, the column was washed in 5 column volumes of running buffer before running a stepped gradient of 0-2M NaCl (in running buffer). The 2x1cm³ fraction (containing ADPG transporter activity) eluting at 90mM NaCl was retained and diluted to 10cm³ in running buffer. The sample was then loaded on to a 1cm³ HiTrap (Pharmacia) BlueTM at a flow rate of 0.5cm³ per minute (column pre-equilibrated in running buffer). After loading the sample the column was washed in 5 column volumes of running buffer. The purified transporter was eluted from the column with 3x1cm³ of 30mM ATP in running buffer. The purified protein was concentrated down to about 0.5cm³ using AmiconTM microcentrifuge filters (10kDa molecular weight cut off).

Reconstitution of the ADPG Transporter

The solubilized ADPG transporter was reconstituted into liposomes using the procedure described by Tetlow *et al.* (1996) to form proteoliposomes. The transporter was orientated such that it pumped ADPG out of the liposome (i.e the reverse orientation to that found in the amyloplast where ADPG is taken into the amyloplast). Transport of ATP, ADPG, AMP and ADP was then determined (also using the procedure described by Tetlow *et al.* (1996)).

Transport of various radiolabelled substrates (1mM) into proteoliposomes (containing the purified protein) was measured when the proteoliposomes were preloaded with various counter-exchange substrates (10mM). Table 1 shows that the transport rate was highest when ADP or AMP were used as substrates and ADPG was used as the counter-exchange substrate. This illustrates that the isolated protein has ADPG transport activity and furthermore acts as an antiporter transporting ADPG in exchange for ADP and AMP.

SUBSTRATE (1mM)	COUNTER-EXCHANGE SUBSTRATE (10mM)	TRANSPORT RATE (nmol/min/mg protein)
ATP	Buffer	33
ADPG	Buffer	32
ADP	ADPG	99
AMP	ADPG	109

Tetlow *et al.* (1993) *Planta* **189**: p597-600
Tetlow *et al.* (1994) *Planta* **194**: p454-460
Tetlow *et al.* (1996) *Biochem. J.* **319**: p717-723.

Tetlow *et al.* (1993) *Planta* **189**: p597-600

Tetlow *et al.* (1994) *Planta* 194: p454-460

Tetlow *et al.* (1996) *Biochem. J.* **319**: p717-723.

ART 34 AMDT

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CLAIMS

1. An ADP-Glucose transporter protein, or a modification or fragment thereof capable of ADPG transport activity comprising at least one amino acid sequence selected from the group of:

- | | | |
|-------|----------------|----------------|
| (i) | SMPLNAAVKM | (SEQ ID NO. 1) |
| (ii) | GAXXXETAWACGXA | (SEQ ID NO. 2) |
| (iii) | NFRYTNFAX | (SEQ ID NO. 3) |

wherein X indicates any amino acid and the other letters represent conventional single letter codes for amino acids.

2. The ADP-Glucose transporter protein according to claim 1 wherein the protein comprises each of the amino acid sequences (i) - (iii).

3. The ADP-Glucose transporter protein according to claim 1 or 2 wherein the protein has a molecular weight of about 38kDa.

4. A DNA molecule encoding for a protein according to ~~any one of claims 1-3~~, said DNA molecule being capable of being transcribed to lead to the expression of said protein.

5. A plant cell transformed with the DNA molecule according to claim 4.

6. A method of regulating starch production from a plant, plant tissue or plant cell comprising modulating activity of the amyloplast membrane ADP-Glucose transporter protein in said plant, plant tissue or plant cell.

7. The method according to claim 6 wherein the activity of the ADP-Glucose transporter is decreased.

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8. The method according to claim 7 wherein starch is produced with a higher proportion of amylopectin than found in starch from an unmodulated plant, plant tissue or plant cell.
9. The method according to claim 7 wherein "waxy" starches are produced for use as thickening agents in food and coatings.
10. The method according to claim 6 wherein activity of the ADP-Glucose transporter is increased.
11. The method according to claim 10 wherein the yield of starch is increased relative to an unmodulated plant, plant tissue or plant cell.
12. The method according to claim 10 or 11 wherein starch is produced with a higher proportion of amylose than found in starch from an unmodulated plant, plant tissue or plant cell.
13. The method according to claim 12 wherein starch is produced with increased viscosity and gel strength relative to starch from an unmodulated plant, plant tissue or plant cell.
14. The method according to claim 13 wherein the starch is for incorporation in a baked food which goes stale less quickly than baked food containing starch derived from an unmodulated plant, plant tissue or plant cell.
15. The method according to any one of claims 10 - 14 wherein the plant, plant tissue or plant cell is transformed with the DNA molecule according to claims 4.

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ART 34 AMDT

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16. A 38kDa ADP-Glucose transporter protein, capable of ADPG transport activity comprising at least one amino acid sequence selected from the group of:

- | | | |
|-------|----------------|----------------|
| (i) | SMPLNAAVKM | (SEQ ID NO. 1) |
| (ii) | GAXXXETAWACGXA | (SEQ ID NO. 2) |
| (iii) | NFRYTNFAX | (SEQ ID NO. 3) |

wherein X indicates any amino acid and the other letters represent conventional single letter codes for amino acids; and

the protein being obtainable by isolating amyloplast membranes, solubilizing said membranes and isolating protein fractions according to the protocol of Example 1.

**RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TRANSPORTER PROTEIN

the specification of which (check applicable box(es)):

- ☐ is attached hereto
☐ was filed on _____ as U.S. Application Serial No. _____ (Atty Dkt. No. 39-219)
☒ was filed as PCT International application No. PCT/GB99/00727 on 19th March 1999
and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number _____ Country _____ Day/Month/Year Filed _____

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number _____ Date/Month/Year Filed _____

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

rior U.S.J13CT Application(s):

Application Serial No. _____ Day/Month/Year Filed _____

Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327, Larry S. Nixon, 25840, Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 32770; Mark E. Nussbaum, 32348; Michael J. Keenan, 32108; Bryan H. Davidson, 30251; Stanley C. Spooner, 27353; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffrey H. Nelson, 30461; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rocha, 37515 I also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1. Inventor's Signature: (Michael J. Emerson) Date: 15/9/00
Inventor: MICHAEL J. EMERSON (first) (last) (citizenship)

Residence: (city) Stockport (state/country) United Kingdom
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2. Inventor's Signature: (Ian Tetlow) Date: 15/9/00
Inventor: IAN TETLOW (first) (last) (citizenship)

Residence: (city) Rochdale (state/country) United Kingdom
Post Office Address: 16 Thames Road, Milnrow
(Zip Code) OL16

3. Inventor's Signature: (Caroline G. Bowsheer) Date: 15 September 2000
Inventor: CAROLINE G. BOWSHEER (first) (last) (citizenship)

Residence: (city) Cheshire (state/country) United Kingdom
Post Office Address: 9 Gloucester Drive, Sale
(Zip Code) M33 5DH

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

Applicant or Patentee: Michael James Emes, Ian Joseph Tetlow, and Caroline Grace Bowsher
Attorney's Docket No. 39-219
Serial or Patent No.: _____
Filed or Issued: _____
For: _____

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27 (b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Transporter Protein described in.

☐ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*.

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

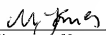

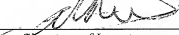
FULL NAME MICHAEL JAMES EMES
ADDRESS 19 ODGEN ROAD, BRAMHALL, STOCKPORT, SK7 1HL, UNITED KINGDOM
(X) INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

FULL NAME IAN JOSEPH TETLOW
ADDRESS 16 THAMES ROAD, MILNROW, ROCHDALE, OL16, UNITED KINGDOM
(X) INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

FULL NAME CAROLINE GRACE BOWSHER
ADDRESS 9 GLOUCESTER DRIVE, SALE, CHESHIRE, M33 5DH, UNITED KINGDOM
(X) INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MICHAEL JAMES EMES	IAN JOSEPH TETLOW	CAROLINE GRACE BOWSHER
		
Signature of Inventor	Signature of Inventor	Signature of Inventor
15/9/00	15/9/00	15th of September 2000
Date	Date	Date

Form PTO-FB-A410 (8-83)

Applicant or Patentee: Michael James Emes, Ian Joseph Tetlow, and Caroline Grace Bowsher
Attorney's Docket No.: 39-219
Serial or Patent No.: _____
Filed or Issued: _____
For: _____

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27 (d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION THE VICTORIA UNIVERSITY OF MANCHESTER
ADDRESS OF ORGANIZATION OXFORD ROAD, MANCHESTER, M13 9PL, UNITED KINGDOM

TYPE OR ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) if
located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of
America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined
in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States
Code with regard to the invention entitled _____ by
inventor(s) _____ described in

- ☐ the specification filed herewith
☒ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit
organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization
having rights to the invention is listed below* and no rights to the invention are held by any person, other than
the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which
would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR
1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization
having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME Neil Ferguson NEIL FERGUSON
ADDRESS RESU UNIVERSITY OF MANCHESTER, MANCHESTER M13 9PL, UK,
() INDIVIDUAL () SMALL BUSINESS CONCERN (X) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING NEIL FERGUSON
TITLE IN ORGANIZATION HEAD RGSU
ADDRESS OF PERSON SIGNING RGSU, UNIVERSITY OF MANCHESTER,
OXFORD ROAD MANCHESTER M13 9PL, UK
SIGNATURE Neil Ferguson DATE 5 SEPT 2000

Form PTO-FB-A440 (8-83)

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00445001.100100

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.492(a)(1)-(5))

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

09/18/00 532

PCT/GB99/00727

39-219

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):**

- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$970.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$840.00
- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO\$690.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$670.00
- International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	16	-20 =	0
Independent Claims	3	-3 =	0

MULTIPLE DEPENDENT CLAIMS(S) (if applicable) \$260.00

TOTAL OF ABOVE CALCULATIONS =

tion by 1/2 for filing by small entity, if applicable. A Small Entity Statement also be filed (Note 37 C.F.R. 1.9, 1.27, 1.28).

SUBTOTAL =

ssing fee of \$130.00, for furnishing the English Translation later than ☐ 20 ☐ 30 is from the earliest claimed priority date (37 C.F.R. 1.492(f)).

TOTAL NATIONAL FEE =

or recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property or Petition to Revive Unintentionally Abandoned Application (\$1210.00 - Small Entity = \$605.00)

TOTAL FEES ENCLOSED =

Amount to be:

refunded \$

Charged \$

☒ A check in the amount of \$970.00 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☐ The entire content of the foreign application(s), referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON & VANDERHYE P.C.
1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201
Telephone: (703) 816-4000

SIGNATURE

Mary J. Wilson

NAME

32,955

September 19, 2000

REGISTRATION NUMBER

Date